

## CHAPTER 15. BOARDS AND COMMISSIONS

### Section 1500 – General Provisions

#### 1500.01 Establishment

**A. Authority to Establish.** Pursuant to Minnesota Statutes 412.621, and other such statutes as are specifically cited herein, the Council establishes or continues the following boards and commissions to advise the Council with respect to municipal functions and activities and to investigate subjects of interest to the City.

**B. How Established.** A board or commission may be established by a majority vote of the Council. An ordinance shall be adopted prescribing the purpose, duties, and composition of the board or commission.

**C. Subject to Provisions in This Chapter:** All boards and commissions established by the Council shall be subject to the provisions of this Chapter, unless otherwise specified in City ordinance or State law.

**D. Purposes and Duties Generally.** All boards and commissions established by the Council shall be advisory to the Council and shall have the responsibility to:

Investigate matters within the scope of the particular board or commission or as specifically directed by the Council.

Advise the Council by communicating the viewpoint or advice of the board or commission.

At the direction of the Council, hold hearings, receive evidence, conduct investigations, and, on the basis of such hearings, evidence and investigations, make decisions and recommendations to the Council.

**E. Advisory Role.** A board or commission established by the Council shall not assume the role of an administrative or legislative body.

**1500.02 Cooperation of City Officials Subject to Direction of City Manager.** The Manager may make available City staff members to record and prepare minutes of board and commission meetings. Such staff members shall perform only such clerical duties on behalf of a board or commission as provided in the bylaws of that board or commission or as assigned by the chairperson with the consent of the Manager. The Manager may assign additional staff to assist a board or commission.

#### 1500.03 Membership

**A. Regular members.** Regular members of boards and commissions established by the Council shall be adult residents of the City unless otherwise expressly stated by ordinance. Members who discontinue legal residency in the City shall automatically be deemed to have resigned from office as of the date of such discontinuance.

**B. Student Members.** Student members shall be residents of the City and enrolled full time in a secondary school. Student members shall be non-voting.

#### 1500.04 Appointment and Terms of Membership

**A. Regular Members.** Board and commission members shall be appointed by majority vote of the Council and shall serve terms of membership not to exceed three years per term. Each member is eligible to serve two three-year terms, except for members of the Planning

Commission, who are eligible to serve three three-year terms. A member in good standing shall serve until a successor has been appointed.

**B. Student Members.** Student members shall be appointed by majority vote of the Council and shall serve terms of membership not to exceed one year per term.

**C. Resignation and Removal.** Members shall serve without compensation and may resign voluntarily by letter or e-mail to the City Clerk or be removed by majority vote of the Council or pursuant to subsections 1500.03 or 1500.09.

**D. Vacancies.** Vacancies in membership shall be filled by majority vote of the Council for the balance of the unexpired term.

**E. Term of Appointment to Fill Vacancy.** A person appointed to fill a vacancy shall be eligible to serve two (or for Planning Commission, three) full terms in addition to the balance of the unexpired term.

**F. No Concurrent Membership.** No person may serve concurrently on more than one board or commission.

**G. Staggered Terms.** Terms of membership shall be staggered so that no more than one-half of the terms on a board or commission expire in any particular year.

#### 1500.05 Committees and Subcommittees

**A. Establishment.** A board or commission may, with specific approval of the Council or pursuant to its bylaws, establish committees, subcommittees, committees of the whole or working groups that include members of the board or commission and additional persons as requested by the board or commission.

**B. Prohibition.** A committee, subcommittee, committee of the whole or working group may not engage in activities, functions, or duties outside the scope of authority granted to the board or commission by which it was established.

#### 1500.06 Organization and Bylaws

**A. Bylaws.** Each board or commission shall adopt and be governed by such bylaws as shall be necessary and desirable for the conduct of its activities. Bylaws shall be subject to review and approval by the Council.

**B. Chairperson.** Each board or commission annually shall elect from its members a chairperson and vice-chairperson to serve a term of one year. No person shall serve more than two consecutive one-year terms as chairperson of a particular board or commission. A chair elected to fill a vacancy shall be eligible to serve two full terms in addition to the remainder of the vacated term.

#### 1500.07 Meetings

**A. Regular Meetings.** All board and commission meetings are open meetings subject to the Minnesota Open Meeting Law (Minnesota Statutes 13D) and shall be held at a fixed time, on a fixed date and in a fixed place as shall be determined by the board or commission. The City Clerk shall give notice of all board and commission meetings as required for meetings of public bodies.

**B. Public Comment.** All board and commission meetings shall include scheduled time for public comment.

**C. Quorum.** A simple majority of voting members, appointed and serving, shall constitute a quorum for any regular or special meeting. If a quorum is not established or maintained during the course of a meeting, no votes on board or commission business may be taken except a motion to adjourn or recess.

**D. Meetings Conducted According to Bylaws.** All meetings shall be conducted according to the bylaws of the board or commission.

#### **1500.08 Meeting Minutes**

**A. Official Record.** Approved minutes of board or commission proceedings shall be public record; the City shall retain a copy of the official minutes of each board or commission meeting in accordance with applicable state law.

**B. Recording.** A board or commission may appoint from its membership a secretary to record and prepare meeting minutes. Minutes so recorded shall be reviewed and approved by the board or commission and a copy forwarded to the City Clerk. In the alternative, the Manager may make available to the board or commission a member of City staff to serve as secretary to record and prepare meeting minutes.

**C. Distributed to City Council.** Official minutes of each board or commission meeting shall be distributed to the Council prior to the first regular Council meeting after approval of the minutes by the board or commission.

#### **1500.09 Attendance Requirements**

**A. Purpose.** To assist boards and commissions in fulfilling their purposes and duties and to ensure that they are not prevented from doing so by the repeated absence of their members, the Council hereby establishes an attendance policy for members serving on boards and commissions.

**B. Removal.** Any member of a board or commission established by the Council who fails to attend three consecutive regular meetings, or in the case of members of the Planning Commission, four consecutive regular meetings, or who fails to attend at least 75% of the scheduled meetings in any calendar year, whether regular or joint work sessions with the Council, shall be deemed to have resigned as a member of the board or commission.

**C. Exceptions.**

(1) The requirements of this subsection shall not apply to attendance at special meetings, or of meetings of committees or subcommittees, including committees of the whole, established by a board or commission pursuant to Subsection 1500.05.

(2) The requirements of this subsection shall not apply to members of the Housing and Redevelopment Authority of Edina, the East Edina Housing Foundation or the City Council.

**D. Annual Review.** The Council shall conduct an annual review of the attendance of members of boards and commissions established by the Council.

**E. Vacancies.** The successor to any member of a board or commission who has been removed pursuant to this subsection shall be appointed pursuant to Subsection 1500.04.

*History: Ord 162 adopted 4-4-74; amended by Ord 162-A1 3-6-75, Codified Section 180 Ord 162-A2 5-16-90; Ord 2007-21, 01-02-08; Ord 2009-7, 05-05-09; Ord. 2011-02, 02-10-11 deleted Section 180, replaced by Section 1500, amended Ord 2011-14, 08-04-11; 2012-06, 02-21-2012*